

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**APPROXIMATELY 85 BIG CATS, 1
JAGUAR, AND 11 RING-TAILED
LEMURS,**

Defendants.

Case No. 6:21-cv-00228-JFH

DEFAULT JUDGMENT AND FINAL ORDER OF FORFEITURE

This matter is before the Court on the Motion for Default Judgment and Final Order of Forfeiture In Rem (“Motion”), filed by Plaintiff United States of America (“the United States”). Dkt. No. 16. Upon consideration of the Motion, the Court finds that the motion should be granted.

Pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, 18 U.S.C. § 983, 16 U.S.C. § 1540(e)(4)(A), and the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, this Court finds as follows:

1. On August 4, 2021, this civil forfeiture action in rem was filed against the defendant properties, consisting of approximately 85 big cats, 1 jaguar, and 11 Ring-Tailed lemurs (“Defendants”). Dkt. No. 2. Arrest Warrants in rem were issued and returned executed as to all Defendants. Dkt. No. 8; Dkt. No. 9; Dkt. No. 10.
2. Direct notice of this civil forfeiture action, including instructions and deadlines for filing a claim or submitting a petition for remission or mitigation, along with a copy of the verified complaint, the warrant for arrest in rem, a copy of Part 9 of Title 28 of the Code of Federal Regulations, and a blank petition for remission, were served on all known potential claimants

to the defendants *in rem* as demonstrated by the United States in its Certificate of Service. Dkt. No. 12.

3. Notice to the general public and the world was made by posting notice of this civil forfeiture action on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and as evidenced by the United States in its Declaration of Publication. Dkt. No. 11; Dkt. No. 11-1; Dkt. No. 11-2.
4. The United States has asserted by Affidavit that no claims have been filed or received from any of the known potential claimants, or from any member of the public or from anyone else anywhere in the world, within the allowed time, and all claimants wherever situated are now in default, and that none of the known potential claimants are known to be infants, incompetent persons, or on military service. Dkt. No. 13-1.
5. No other appearance, answer, or other defense has been served or filed by any person.
6. Defendants were unlawfully “taken” in violation of the Endangered Species Act, 16 U.S.C. §§ 1531-44, and are therefore subject to forfeiture under § 1540(e)(4)(A).
7. The United States requested entry of default by the Court Clerk on July 13, 2022 [Dkt. No. 13] and on August 23, 2022, pursuant to the requirements of Rule 55(a), entered default against all Defendants [Dkt. No. 15].

IT IS THEREFORE ORDERED that the Default Judgment in favor of the United States and against all of the known potential claimants, the general public, and the world, is hereby issued, and the defendants *in rem*, identified specifically in the verified complaint, and consisting of approximately 85 Big Cats, 1 Jaguar, and 11 Ring-Tailed Lemurs, and any offspring thereof born in captivity following the seizure and commencement of this action, are hereby forfeited to the

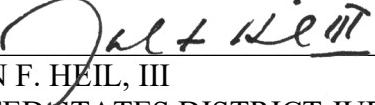
United States of America pursuant to Title 16, United States Code, § U.S.C. § 1540(e)(4)(A).

IT IS FURTHER ORDERED that all right, title and interest to the property described above is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law; and

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order; and

IT IS FURTHER ORDERED that the Clerk of the Court shall forward four certified copies of this Order to the United States Department of Justice, Money Laundering and Asset Forfeiture Section, 1400 New York Avenue, NW, Washington D.C. 20005, Attention: Senior Policy Advisor Darrin McCullough.

Dated this 9th day of September 2022.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE